

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

FREDDIE R. LEWIS

CIVIL ACTION 3:09CV2026

VERSUS

JUDGE JAMES

**LA STATE PUBLIC SAFETY DEPT, MAGISTRATE JUDGE HAYES
ET AL.**

ORDER

On November 30, 2009, pro se plaintiff Freddie R. Lewis (“Plaintiff”), an inmate incarcerated at the Winn Correctional Center, filed this action pursuant to 42 U.S. C. §1983 in the United States District Court, Middle District of Louisiana. The Middle District of Louisiana transferred this action to the United States District Court, Western District of Louisiana by Order issued on December 3, 2009. The Middle District Court further ordered that a determination regarding plaintiff’s entitlement to *in forma pauperis* status be deferred to this Court.

A review of the Western District of Louisiana’s court records reveals that Plaintiff has filed numerous law suits that were dismissed as frivolous. 28 U.S.C. §1915 limits non-meritorious *in forma pauperis* claims by prohibiting prisoners from bringing additional *in forma pauperis* complaints if the prisoner has, on three (3) or more occasions, while incarcerated or detained in any facility, brought an action that was dismissed on the grounds that it was frivolous, malicious, or failed to state a claim upon which relief could be granted. See 28 U.S.C. §1915(g). After a prisoner has had three (3) *in forma pauperis* petitions dismissed under §1915(g), any complaint filed after those three were filed may not be maintained in pauper status unless the prisoner is “under imminent danger of serious physical injury.” 28 U.S.C. §1915(g). On February 2, 2004, this Court ordered “that Plaintiff not be allowed to file any further complaints in the Western District without first obtaining permission from the Court.” (See *Lewis v. City of Leesville, et al*, 03-CV-699.)

Plaintiff now seeks to file a new Complaint with this Court. The record shows that Plaintiff has not paid the filing fee and presumably seeks *in forma pauperis* status to file this suit. Plaintiff's present claims do not show that Plaintiff is in immediate danger of suffering serious injury. This Court therefore denies Plaintiff's request to file his Complaint. If Plaintiff wishes to maintain this suit, he must pay the full filing fee of \$350.00.

ACCORDINGLY,

IT IS ORDERED that Plaintiff pay the full filing fee of \$350.00 (Three Hundred and Fifty Dollars) within twenty (20) days from the date of this order to have his Complaint filed in this Court. **FAILURE TO PAY THE FULL FILING FEE WILL RESULT IN THE PLEADINGS BEING STRICKEN FROM THE RECORD, AND THIS CASE CLOSED.**

Thus done and signed in Chambers in Monroe, Louisiana, this 29th day of December, 2009.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE